

Notice of Allowability

Application No.

09/599,156

Applicant(s)

YOUNG ET AL.

Examiner

Hoang-Vu A Nguyen-Ba

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After Final filed December 7, 2004.
2. ☒ The allowed claim(s) is/are 1-12,14-22,24-37,39-48,50 and 51.
3. ☒ The drawings filed on 21 June 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



**ANTONY NGUYEN-BA
PRIMARY EXAMINER**

Hoang-Vu Antony Nguyen-Ba
Primary Examiner
Art Unit: 2192

Notice to Applicants

1. This combined Examiner's Amendment and Statement of Reason(s) for Allowance is responsive to Applicants' Amendment After Final filed December 7, 2004.
2. Per Applicants' request, claims 1, 16, 27 and 42 have been amended; claims 13, 23, 38 and 49 have been canceled. Claims 1-12, 14-22, 24-37, 39-48 and 50-51 remain pending. Claims 1, 15, 16, 27, 41, 42 and 51 are independent claims.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Albert S. Michalik, Registration No. 37,395 on March 25, 2005.

The application has been amended as follows:

- a. in claim 6, line 3, insert – client – before “machine.”;
- b. in claim 7, line 3, insert – client – before “machine.”;
- c. in claim 8, line 3, insert – client – before “machine.”;
- d. in claim 14, line 1, delete “13” and insert – 1 -- after “The method of claim”;
- e. in claim 24:
 - i. in line 1, delete “23” and insert – 16 -- after “The system of claim”; and

- ii. in line 2, delete “management” before “software”;
- f. in claim 25, in line 1, delete “23” and insert – 16 -- after “The system of claim”;
- g. in claim 27, in line 12, insert – client -- before “machine”;
- h. in claim 50, in line 1, delete “49” and insert – 42 -- after “The method of claim”.

Examiner's Statement of Reason(s) for Allowance

- 4. Claims 1-12, 14-22, 24-37, 39-48 and 50-51 are allowed.
- 5. The following is an examiner's statement of reasons for allowance:

Applicant's arguments, see page 16, lines 6-16; page 18, line 13 to page 19, line 2; page 20, lines 8-20; page 22, lines 5-18, filed December 7, 2004, with respect to claims 1 and 15, 16, “27 and 41” and “42 and 51”, respectively have been fully considered and are persuasive. The rejections of these independent claims and their dependent claims have been withdrawn.

Following additional references found as a result of further search and made of record but not relied upon are considered pertinent to applicant's disclosure.

U.S. Patent Application Publication No. 2001/0003824 by Schnier, filed March 14, 1997, teaches a method and apparatus for bootstrapping an object client system with an object server system in a distributed system. Specifically, Schnier teaches that a web client can be bootstrapped to the object servers in a server system to allow the use of a “zero install” web client to operate on remote objects through the web server (sections [0099-0100]).

U.S. Patent No. 6,317,826 to McCall et al., filed October 19, 1998, teaches booting a computer system from a network. Specifically, McCall et al. teaches a client

system that includes a network card to connect the client to a server and to download a bootstrap program from the server via the network (2:26-37).

However, both references do not appear to teach running a bootstrap service to connect a client machine to a second server and to transmit additional software from the second server for installing on the client machine specifically in the context of the instant application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Hoang-Vu A Nguyen-Ba whose telephone number is (571) 272-3701. The Examiner can normally be reached on Tuesday-Friday, 7:15 – 17:45.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Tuan Dam can be reached at (571) 272-3695.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: 571-272-2100.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**ANTONY NGUYEN-BA
PRIMARY EXAMINER**

Art Unit 2192

March 26, 2005